



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Vervoort et al.  
 Serial No.: 09/623,329  
 Filed: August 31, 2000

Group Art Unit: 1655  
 Examiner: Carla J. Myers

For: **OLIGO NUCLEOTIDES FOR THE AMPLIFICATION AND DETECTION OF  
 EPSTEIN BARR VIRUS (EBV) NUCLEIC ACID**

Date: April 12, 2002

Commissioner for Patents  
 Washington, DC 20231

**COPY OF PAPERS  
 ORIGINALLY FILED**

**RECEIVED**  
 APR 25 2002  
 TECH CENTER 1600/2900

Sir:

Transmitted herewith is a RESPONSE TO RESTRICTION REQUIREMENT in the above-identified patent application.

- ☐ Applicant claims small entity status. See 37 CFR §1.27.  
☐ No additional fee is required.  
☒ Other: **Petition and Fee for 2 month Extension of Time**

The fee has been calculated as shown below:

(COL. 1)		(COL. 2)	(COL. 3)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	Claims Remaining After Amendment	Highest Number Previously Paid For	Present Extra	RATE	ADDIT. FEE	OR RATE	ADDIT. FEE
Total	* 12-	** 14	= 0	x 09=	\$	x 18=	\$
Indep	* 3 -	*** 3	= 0	x 42=	\$	x 84=	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+140 =	\$	+280=	\$
<b>Petition and Fee for 2 month Extension of Time</b>				Total Add. Fee		OR Total	<b>\$ 400.00</b>

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior Amendment or the number of claims originally filed.

In re: Vervoort et al.  
Serial No.: 09/623,329  
Filed: August 31, 2000  
Page 2 of 2

- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$
- ☒ A check in the amount \$ 400.00 to cover the additional fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0220.
- ☒ Any additional filing fees required under 37 C.F.R. § 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17.

Respectfully submitted,



Karen A. Magri  
Registration No. 41,965

Customer Number:



20792

PATENT TRADEMARK OFFICE

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on April 12, 2002.



Sloan Hobbs

#14  
c  
5/8/02



COPY OF PAPERS  
ORIGINALLY FILED

Attorney's Docket No. 9310.17

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Vervoort et al.  
Serial No.: 09/623,329  
Filed: August 31, 2000  
For: *OLIGO NUCLEOTIDES FOR THE AMPLIFICATION AND  
DETECTION OF EPSTEIN BARR VIRUS (EBV) NUCLEIC ACID*

Group Art Unit: 1655  
Examiner: Carla J. Myers

Date: April 12, 2002

Commissioner for Patents  
Washington, DC 20231

**Election and Restriction**

Responsive to the Office Action dated January 16, 2002, it is respectfully requested that this application be reconsidered in view of the following amendments and remarks.

**In the Claims.**

Please cancel Claims 1-14 for the purpose of re-writing.

Please add the following new claims:

15. (New) A method for determining the presence of EBV-positive epithelial tumor cells in a sample of an individual suspected of or at risk for carrying an EBV associated disease, comprising
- determining the presence of EBV positive cells by amplifying one or more targets from at least one RNA selected from the group consisting of:
  - the BKRF1 reading frame spanning nucleotides 107950 – 109872 of EBNA-1, and
  - a target within exons 2, 3, 4, 5, 6, 7 and 8 spanning nucleotides 58 - 272, 360 - 458, 540 - 788, 871 - 951, 1026 - 1196, 1280 - 1495 and 1574 – 1682, respectively, of LMP-2,
  - said method further comprising amplifying one or more target sequence(s) selected from the BARP1 reading frame spanning

Sub E3